

MEMORANDUM

DATE: February 3, 2011
TO: Policy Committee
FROM: Sarah Propst, Planner
SUBJECT: Development Standards - Floodplain Overlay District

II. Floodplain

The Floodplain Overlay District is meant to minimize the loss of life or property by limiting or preventing development within the floodplain. The Floodplain Overlay District is a subcategory of the Development Standards portion of the Zoning Ordinance update. The scope of work for this section is to ensure compliance with the State regulations and increase clarification.

III. Discussion Items

A. **Compliance and Clarification**

1. Description of issue/problem

- *The Floodplain Ordinance is reviewed by the Virginia Department of Conservation and Recreation (DCR), Federal Emergency Management Agency (FEMA), and other agencies to ensure compliance with State and federal requirements when any changes are made. This was last done in 2007. Staff consulted with the County Engineer, who has primary responsibility for ensuring State and federal compliance, and the Plans Examiner, who applies floodplain regulations during building plan review, for possible amendments. All changes recommended in this section are to ensure compliance with State regulations and for clarification purposes.*

2. History

- *In 1991 the first Floodplain Maps were adopted.*
- *The current Floodplain Maps were adopted in 2007 and the ordinance is updated to ensure compliance with State and Federal requirements.*

3. Comprehensive Plan GSAs, public input, and PC and BOS direction

- *There was no specific PC or BOS direction provided regarding this topic.*
- *ENV 3.5-Continue to develop and enforce zoning regulations and other County ordinances that ensure the preservation to the maximum extent possible of rare, threatened, and endangered species; wetlands; flood plains; shorelines; wildlife habitats; natural areas; perennial streams; groundwater resources; and other environmentally sensitive areas.*
- *ENV 3.7-Site development projects, including those initiated by the County, to be consistent with the protection of environmentally sensitive areas and the maintenance of the County's overall environmental quality so that development projects do not exacerbate flooding in flood prone areas.*

4. Solutions and Policy Options

- *The County Engineer and Plans Examiner recommended a number of amendments which update references and clarify requirements. The specific ordinance amendments are listed below:*

- **Sec 24-590. Designation of Flood Districts**
 - (a) Where flood elevations are provided by the FIS, these elevations shall not be changed except with FEMA approval. Local sources of floodplain data include, but are not limited to, the following reports: *Drainage Study of Upper Powhatan Creek Watersheds, Camp Dresser and McKee, 1987; Mill Creek-Lake Watershed Study, GKY and Associates, 1988; Powhatan Creek Floodplain Study, Williamsburg Environmental Group, 2008; Upper Powhatan Creek Floodplain Study, Williamsburg Environmental Group, 2010.*
- **Sec. 24-595. Regulations for Construction**
 - (a)(1) In case of residential usage, the finished grade elevation of the lowest floor shall be at least one foot above the 100-year flood elevation for the lowest floor, including basements or cellar of structures...
 - (a)(2) Utility and sanitary facilities shall be floodproofed up to the level of the 100-year base flood elevation.
 - (a) (3) Encroachments, including fill, new construction, substantial improvements and other development are prohibited within the floodway or any floodplain district having a 100-year elevation greater than 7-1/2 feet (North American Vertical Datum - NAVD, 1988) unless it has been demonstrated through hydrologic and hydraulic analyses that the proposed encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge. *Hydrologic and hydraulic analyses shall be undertaken by a professional engineer and shall be submitted in sufficient detail to allow a thorough review by the County Engineer or designee.*
- **Sec. 24-596. Regulations for subdivisions and site plans**

The application of any subdivision of land or site plan within the county shall submit with his application a statement by a licensed surveyor or engineer as to whether or not any property shown on the plat or plan is at an elevation lower than the 100-year flood level. Where a 100-year flood level exists, the extent of this area shall be shown on the plat or plan. Further, the elevation of the finished surface of the ground at each building location shall be shown. Lots created after February 6, 1991, which are within a floodplain district having a 100-year flood elevation greater than 7-1/2 feet, shall contain a natural, unfilled building site at least one foot above the 100-year flood elevation adequate to accommodate all proposed structures. All structures shall be constructed solely within such building sites and outside of the 100-year flood plain.
- **Sec. 24-601. Watercourse modification.**

The Federal Insurance Administrator, adjacent jurisdictions and the Department of Conservation and Recreation, Division of Soil and Water Conservation Dam Safety and Floodplain Management shall be notified prior to the alteration or relocation of any watercourse. The flood-carrying capacity to such watercourse shall be maintained.

III. Conclusion

Staff recommends the minor changes to the Floodplain Overlay regulations outlined above to meet State and federal requirements and increase clarification.

Attachment:

1. Additional Revisions Introduced at February 3, 2011 Policy Committee Meeting

Development Standards-Floodplain Overlay District

Page 2

Last Revised: 2/14/2011